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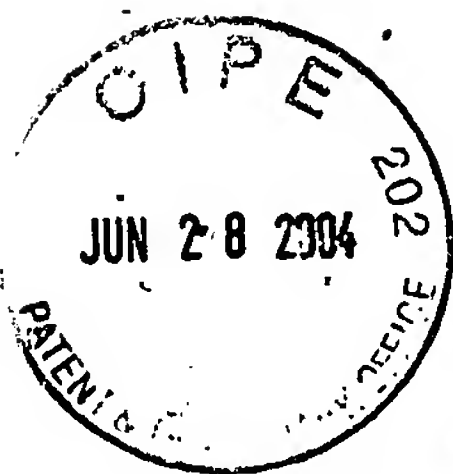
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**FAX COVER SHEET**

TO

COMPANY

FAX NUMBER 17037464060

FROM Bruce E Harang

DATE 2004-06-28 19:03:01 GMT

RE US Appl No. 10/708996 Reply to Notice of  
Missing Parts**COVER MESSAGE**

Attached is a Response to the Notice of Missing Parts dated 06/24/2004 including a 3 page response, a fee transmittal sheet, a copy of

the Notice of Missing Parts and Exhibits A-D for:

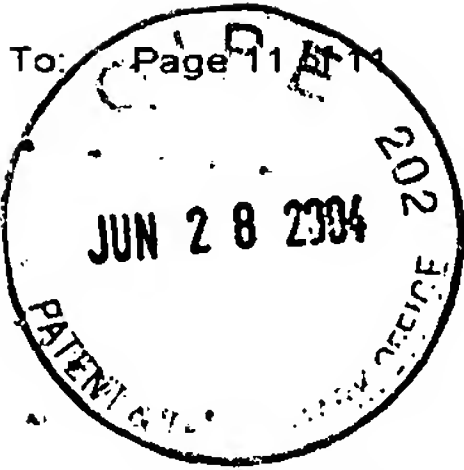
US Appl No: 10/708996  
Filed 04/06/2004  
Art Unit 3636  
Atty Bruce E Harang  
Atty Dkt 04105  
Conf. No 2995

"The charm of fishing is that it is elusive but attainable. A perpetual series of occasions for hope." - John Buchan

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\*\*\*\*\*

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number 10/708996  
 Filing Date 04/06/2004  
 First Named Inventor Simon Sun  
 Examiner Name  
 Art Unit  
 Attorney Docket No. 04105

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

502438

Lear Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

## SUBMITTED BY

Name (Print/Type) Bruce E Harang

Registration No. 29720  
(Attorney/Agent)

Telephone 360-903-4693

Signature

Date 06/28/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## IN THE UNITED STATES PATENT OFFICE

Application No.: 10/708996

Applicant: Simon Sun et al

Filed: 04/06/2004

TC/Art Unit:

Examiner:

Docket No.: 04105

Customer No.: 23688

Confirmation No.: 2995

June 28, 2004

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

**PETITION UNDER 37 CFR 1.47**

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application dated 06/24/2004. This petition is timely filed if filed on or before 08/24/2004.

The required fee under 37 CFR 1.17(h) of \$130.00 is submitted herewith. Kindly consider this petition and the supporting documents submitted herewith as sufficient and in full compliance with the requirements 35 U.S.C. 118 and 37 CFR 1.47.

**Remarks/Arguments** begin on page 2 of this paper.

An **Appendix** including undeliverable correspondence between the attorney of record and the inventor at his last known address is attached following page 3 of this paper.

07/06/2004 LWONDIM1 00000004 502438 10708996

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Appl. No.: 10/708996  
Amdt. Dated: 6/28/2004  
Reply to Office action of: 06/24/2004

### REMARKS/ARGUMENTS

This application was filed on 04/06/2004 for both inventors by the signing of a declaration by one of the two inventors whose location was known to the assignee at that time, and by the attorney of record under 35 USC 118. The location of the second inventor was unknown at that time but diligent efforts were taken to ascertain his whereabouts and procure his signature on a declaration.

On February 26, 2004 this attorney of record contacted the Lear Patent Department to provide the last known address and phone number of inventor Zorn Kojec as I had misplaced the information originally provided by them. They forwarded the last known address of 1632 McIntyre St., Ann Arbor, MI 48105-2415. No phone number was provided (see email marked exhibit D). They also indicated that they believed I had misspelled his name and that it should be spelled Kojic not Kojec.

This attorney then did an online telephone white pages search for Mr. Zorn Kojic and Mr. Zorn Kojec. That search turned up a possible phone number that when called was answered by someone other than Mr. Zorn Kojic who did not know of him.

On February 26, 2004 this attorney of record mailed a letter (see letter dated 02/26/2004 marked exhibit A) requesting the second inventor Zorn Kojic to contact him concerning reviewing and signing the formal papers for the above-identified patent application via certified mail (see Certified Mail Receipt marked exhibit B). This letter was returned to this attorney of record as undeliverable as evidenced by the face of the returned envelope (see USPS return label on envelope marked exhibit C).

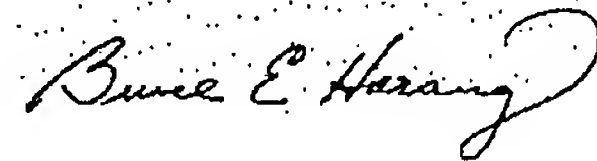
Applicants have undertaken diligent efforts to contact and have Mr. Zorn Kojic sign a declaration for filing in the US Patent Office. However, there whereabouts of Mr. Zorn Kojic remain unknown.

Appl. No.: 10/708996  
Amdt. Dated: 6/28/2004  
Reply to Office action of: 06/24/2004

Mr. Zorn Kojic's last known address is 1632 McIntyre Street, Ann Arbor, MI 48105-2415.

In view of the remarks herein, and exhibits presented herewith, it is submitted that this application is now complete and is in condition for examination and allowance, and such action is respectfully solicited.

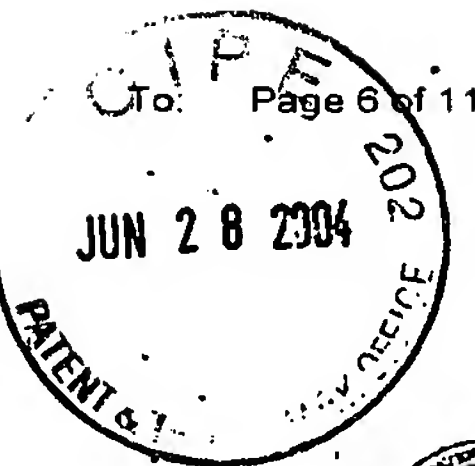
Respectfully submitted,



Bruce E. Harang  
Registration No. 29,720  
Tel.: (360) 903-4693

Attachments: Exhibits A – D, copy of Notice of Missing Parts dated 06/24/2004,  
Fee Transmittal, Transmittal Form





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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/708,996	04/06/2004	Simon Sun	04105

23688  
Bruce E. Harang  
PO BOX 872735  
VANCOUVER, WA 98687-2735

CONFIRMATION NO. 2995  
FORMALITIES LETTER



\*OC000000013048038\*

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Zorn Kojic*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

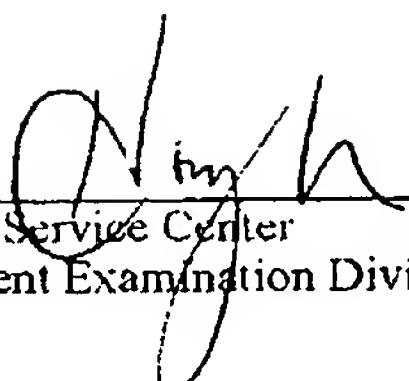
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*



Page 2 of 2

  
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PART 2 - COPY TO BE RETURNED WITH RESPONSE



A



**Bruce E. Harang** Patent & Trademark Attorney

P. O. Box 872735, Vancouver, WA 98687-2735 — Telephone (360) 903-4693

February 26, 2004

via Certified Mail

Mr. Zorn Kojec  
1632 McIntyre Drive  
Ann Arbor, MI 48105

Re: Patent Application for:  
"Rear Fold Down Cargo with Tilt Down Cushion"

Dear Zorn:

I am a patent attorney retained by Lear Corporation to file a patent application on the above-identified invention in which you and Simon Sun are listed as the inventors.

I have tried to find a phone number where I could contact you with no success.

I need to send you a copy of the application and the necessary formal papers for you to sign so that this case may be filed in the U.S. Patent Office.

Kindly contact me with your mailing address, fax number, or email address where I may forward these documents for your signature.

If you have any questions regarding this matter kindly call me at 360-903-4693 at your earliest convenience, but no later than 10 days after receipt of this letter.

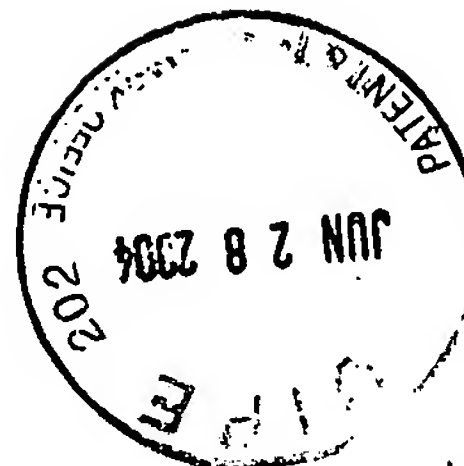
Best Regards,

Bruce E. Harang

e-mail: bhpatent@comcast.net



Bruce E. Harang, Esq.  
Patent & Trademark Attorney  
P.O. Box 872735  
Vancouver, WA 98687-2735



C

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Sent to: Mr. Zorn Kojec  
Street, Apt. No.:  
or PO Box No. 1632 McIntyre St  
City, State, ZIP+4: Ann Arbor, MI 48105-3415

PS Form 3800, June 2002 See Reverse for Instructions

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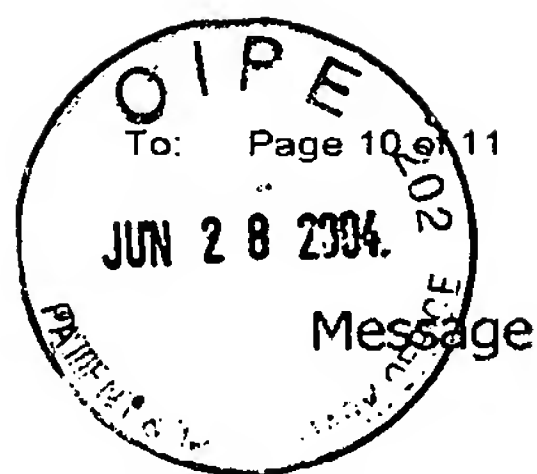
endicia.com 071V00500595

N/D  
3/11/04

**Mr. Zorn Kojec**  
**1632 McIntyre**  
**Ann Arbor, MI**

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(D)

**bhpatent**

**From:** Maloney, David [DMaloney@lear.com]  
**Sent:** Thursday, February 26, 2004 11:05 AM  
**To:** 'bhpatent'  
**Subject:** RE: Lear 04105 missing inventor address and phone number

I am pretty sure it is spelled Kojic

1632 McIntyre Dr.  
Ann Arbor, MI 48105

David

-----Original Message-----

**From:** bhpatent [mailto:bhpatent@comcast.net]  
**Sent:** Thursday, February 26, 2004 1:56 PM  
**To:** 'Maloney, David'  
**Subject:** Lear 04105 missing inventor address and phone number

David,

A while back you sent me the best address and phone number you had for Zorn Kojec. I managed to loose the information after trying unsuccessfully to contact him. However, I need to send a certified letter to him regarding the signing of the formal papers so if he is missing we can file with a non-signing inventor.

Would you be kind enough therefore to resend the information you have on Mr. Zorn Kojec? Thank you.

Best Regards,  
Bruce

"The charm of fishing is that it is elusive but attainable. A perpetual series of occasions for hope." - John Buchan

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2/26/2004